

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 17682A-003650US

First Inventor Dempcy, Robert O.

Title TM LEVELING METHODS

Express Mail Label No. EV 338472382

 44-67442
44-101
09/26/03
APPLICATION ELEMENTS

See MPEP chapter 600 concerning design patent application contents.

- Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
- Applicant claims small entity status.
See 37 CFR 1.27.
- Specification [Total Pages 110]
 - Descriptive title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- Drawing(s) (35 U.S.C.113) [Total Sheets 6]
- Oath or Declaration [Total Pages 3]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63 (d))

(for a continuation/divisional with Box 18 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- Application Data Sheet. See 37 CFR 1.76

ADDRESS TO
**Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper number of pages 21
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement Power of Attorney (when there is an assignee)
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
17. Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP)

of prior application No: 10/032,307

Prior application information: Examiner K. Horlick

Art Unit: 1637

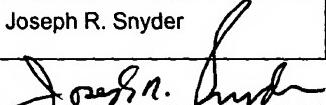
For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS Customer Number

20350

OR Correspondence address below

Name					
Address					
City			State		
Country			Telephone		
Zip Code		Fax			

Name (Print/Type)	Joseph R. Snyder		Registration No. (Attorney/Agent)	39,381	
Signature				Date	September 26, 2003

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Mail Stop Patent Application, P.O. Box 1450, Alexandria, VA 22313-1450. 60048157 v1

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Complete if Known

FEE TRANSMITTAL

for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

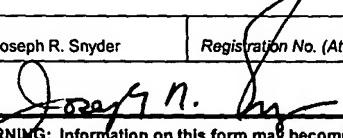
569

METHOD OF PAYMENT (check all that apply)					FEE CALCULATION (continued)					
<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card	<input type="checkbox"/> MoneyOrder	<input type="checkbox"/> Other	<input type="checkbox"/> None	3. ADDITIONAL FEES					
<input checked="" type="checkbox"/> Deposit Account:					Large Entity	Small Entity	Fee Description			Fee Paid
Deposit Account Number	20-1430				Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)		
Deposit Account Name	Townsend and Townsend and Crew LLP				1051	130	2051	65	Surcharge - late filing fee or oath	
The Commissioner is authorized to: (check all that apply)					1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments					1053	130	1053	130	Non-English specification	
<input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application					1812	2,520	1812	2,520	For filing a request for reexamination	
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.					1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
					1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
					1251	110	2251	55	Extension for reply within first month	
					1252	410	2252	205	Extension for reply within second month	
					1253	930	2253	465	Extension for reply within third month	
					1254	1,450	2254	725	Extension for reply within fourth month	
					1255	1,970	2255	985	Extension for reply within fifth month	
					1401	320	2401	160	Notice of Appeal	
					1402	320	2402	160	Filing a brief in support of an appeal	
					1403	280	2403	140	Request for oral hearing	
					1451	1,510	1451	1,510	Petition to institute a public use proceeding	
					1452	110	2452	55	Petition to revive - unavoidable	
					1453	1,300	2453	650	Petition to revive - unintentional	
					1501	1,300	2501	650	Utility issue fee (or reissue)	
					1502	470	2502	235	Design issue fee	
					1503	630	2503	315	Plant issue fee	
					1460	130	1460	130	Petitions to the Commissioner	
					1807	50	1807	50	Petitions related to provisional applications	
					1806	180	1806	180	Submission of Information Disclosure Stmt	
					8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
					1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
					1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
					1801	750	2801	375	Request for Continued Examination (RCE)	
					1802	900	1802	900	Request for expedited examination of a design application	
					Other fee (specify) _____					
					*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$0)	

**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Joseph R. Snyder	Registration No. (Attorney/Agent)	39,381	Telephone	925-472-5000
Signature				Date	September 26, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

DEMPCY et al.

Continuation of Application No.:
10/032,307

Filed: September 26, 2003

For: TM LEVELING METHODS

Customer No.: 20350

Examiner: Horlick, Kenneth R. (Parent)

Technology Center/Art Unit: 1637 (Parent)

**STATEMENT UNDER 37 CFR §1.63(d)(2)
TO DELETE INVENTORS**

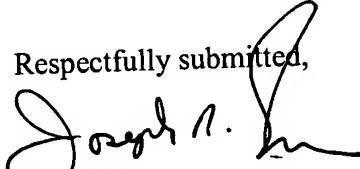
Mail Stop: Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants request correction of inventorship by deletion of Michael J. Singer as an inventor. This correction is necessitated in view of the Preliminary Amendment filed herewith canceling originally filed claims 1-109. The invention of Michael J. Singer is no longer being claimed in this application.

9/26/03

Respectfully submitted,


Joseph R. Snyder
Reg. No. 39,381

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Attachments
JS:jlw
60048248 v1